



General Assembly

Amendment

January Session, 2019

LCO No. 9106



Offered by:

REP. ARESIMOWICZ, 30th Dist.
REP. RITTER M., 1st Dist.
REP. BAKER, 124th Dist.
REP. HENNESSY, 127th Dist.
REP. ROSARIO, 128th Dist.

REP. STAFSTROM, 129th Dist.
REP. STALLWORTH, 126th Dist.
REP. DOUCETTE, 13th Dist.
SEN. BRADLEY, 23rd Dist.
SEN. MOORE, 22nd Dist.

To: House Bill No. 6996

File No. 85

Cal. No. 75

"AN ACT EXTENDING THE FORECLOSURE MEDIATION PROGRAM."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subdivision (9) of section 8-265cc of the general statutes
4 is repealed and the following is substituted in lieu thereof (*Effective*
5 *from passage*):

6 (9) "Foreclosure mediation program" means the [foreclosure
7 mediation program] Ezequiel Santiago Foreclosure Mediation Program
8 established [by] pursuant to section 49-31m, as amended by this act;
9 and

10 Sec. 2. Section 49-24f of the general statutes is repealed and the
11 following is substituted in lieu thereof (*Effective from passage*):

12 A mortgagee may file a motion for judgment of foreclosure by
13 market sale on or after the ten days following the return date specified
14 in the complaint filed in accordance with subsection (b) of section 49-
15 24e. Upon motion of the mortgagee and with the consent of the
16 mortgagor, the court, after notice and hearing, may render a judgment
17 of foreclosure by market sale approving the purchase and sale
18 contract, which judgment shall be a final judgment for purposes of
19 appeal, and appoint a person to make the sale. The only issues at such
20 hearing shall be a finding of the fair market value of the residential real
21 property and of any priority liens on such property and a
22 determination of the amount of the fees and expenses of sale, including
23 any real estate broker commissions, the person appointed to make the
24 sale, the reasonable costs and expenses incurred by the purchaser of
25 such property in connection with the purchase and sale contract, the
26 mortgagee's debt and whether the mortgagee's debt together with any
27 priority liens exceeds the fair market value of such property. Following
28 such hearing, the court may render a supplemental judgment that
29 specifies the persons who are entitled to proceeds from the market sale
30 and the amount of such proceeds to which each such person is entitled.
31 If the court denies the mortgagee's motion for the judgment of
32 foreclosure by market sale contemplated by this section or if
33 circumstances develop that make it reasonably likely that a sale will
34 not be consummated in accordance with the judgment of foreclosure
35 by market sale entered pursuant to this section, then, subject to the
36 provisions of sections 49-31k to 49-31o, inclusive, (1) the mortgagor
37 may, if eligible, petition for inclusion in the [foreclosure mediation
38 program] Ezequiel Santiago Foreclosure Mediation Program set forth
39 in sections 49-31k to 49-31o, inclusive, provided the mortgagor did not
40 substantially contribute to the events leading to such denial or
41 circumstances and, in order to grant such petition, the court shall (A)
42 give consideration to any testimony or affidavits the parties may
43 submit in support of or in opposition to such petition, and (B) find that
44 (i) such petition is not motivated primarily by a desire to delay the
45 entry of a judgment of a foreclosure, and (ii) it is highly probable the
46 parties will reach an agreement through mediation, and (2) the

47 mortgagee shall have the right to request the entry of a judgment of
48 foreclosure in accordance with the other provisions of law, including
49 the provisions governing strict foreclosure.

50 Sec. 3. Section 49-30v of the general statutes is repealed and the
51 following is substituted in lieu thereof (*Effective from passage*):

52 If the court does not enter a judgment of loss mitigation, then the
53 modification or conveyance contemplated by the mortgagor and
54 mortgagee under section 49-30q, 49-30r or 49-30s shall not be
55 consummated. Nothing in this section shall be construed as
56 prohibiting a consensual modification of a mortgage or conveyance
57 from being consummated outside of the judicial process. In the event
58 of such nonentry:

59 (1) The mortgagor may, if eligible, petition for inclusion in the
60 [foreclosure mediation program] Ezequiel Santiago Foreclosure
61 Mediation Program established pursuant to section 49-31m, as
62 amended by this act, provided the mortgagor did not substantially
63 contribute to the events leading to the nonentry or other circumstances
64 resulting in the nonentry. In determining whether to grant such
65 petition, the court shall give consideration to any testimony or
66 affidavits the parties may submit in support of or in opposition to such
67 petition. The court may grant such petition upon a determination that
68 (A) such petition is not motivated primarily by a desire to delay entry
69 of a judgment of foreclosure, and (B) it is highly probable the parties
70 will reach an agreement through mediation; and

71 (2) The mortgagee shall have the right to request the entry of a
72 judgment of foreclosure in accordance with the other provisions of
73 law, including the provisions governing strict foreclosure.

74 Sec. 4. Section 49-31l of the general statutes is repealed and the
75 following is substituted in lieu thereof (*Effective from passage*):

76 (a) Prior to July 1, [2019] 2023: (1) Any action for the foreclosure of a
77 mortgage on residential real property with a return date during the

78 period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to
79 the provisions of subsection (b) of this section, and (2) any action for
80 the foreclosure of a mortgage on (A) residential real property with a
81 return date during the period from July 1, 2009, to June 30, [2019] 2023,
82 inclusive, or (B) real property owned by a religious organization with a
83 return date during the period from October 1, 2011, to June 30, [2019]
84 2023, inclusive, shall be subject to the provisions of subsection (c) of
85 this section.

86 (b) (1) Prior to July 1, [2019] 2023, when a mortgagee commences an
87 action for the foreclosure of a mortgage on residential real property
88 with a return date during the period from July 1, 2008, to June 30, 2009,
89 inclusive, the mortgagee shall give notice to the mortgagor of the
90 [foreclosure mediation program] Ezequiel Santiago Foreclosure
91 Mediation Program established [in] pursuant to section 49-31m, as
92 amended by this act, by attaching to the front of the foreclosure
93 complaint that is served on the mortgagor: (A) A copy of the notice of
94 the availability of foreclosure mediation, in such form as the Chief
95 Court Administrator prescribes, and (B) a foreclosure mediation
96 request form, in such form as the Chief Court Administrator
97 prescribes.

98 (2) Except as provided in subdivision (3) of this subsection, a
99 mortgagor may request foreclosure mediation by submitting the
100 foreclosure mediation request form to the court and filing an
101 appearance not more than fifteen days after the return date for the
102 foreclosure action. Upon receipt of the foreclosure mediation request
103 form, the court shall notify each appearing party that a foreclosure
104 mediation request form has been submitted by the mortgagor.

105 (3) The court may grant a mortgagor permission to submit a
106 foreclosure mediation request form and file an appearance after the
107 fifteen-day period established in subdivision (2) of this subsection, for
108 good cause shown.

109 (4) No foreclosure mediation request form may be submitted to the

110 court under this subsection on or after July 1, [2019] 2023.

111 (5) If at any time on or after July 1, 2008, but prior to July 1, [2019]
112 2023, the court determines that the notice requirement of subdivision
113 (1) of this subsection has not been met, the court may, upon its own
114 motion or upon the written motion of the mortgagor, issue an order
115 that no judgment may enter for fifteen days during which period the
116 mortgagor may submit a foreclosure mediation request form to the
117 court.

118 (6) Notwithstanding any provision of the general statutes or any
119 rule of law to the contrary, prior to July 1, [2019] 2023, no judgment of
120 strict foreclosure nor any judgment ordering a foreclosure sale shall be
121 entered in any action subject to the provisions of this subsection and
122 instituted by the mortgagee to foreclose a mortgage on residential real
123 property unless: (A) Notice to the mortgagor has been given by the
124 mortgagee in accordance with subdivision (1) of this subsection and
125 the time for submitting a foreclosure mediation request form has
126 expired and no foreclosure mediation request form has been
127 submitted, or if such notice has not been given, the time for submitting
128 a foreclosure mediation request form pursuant to subdivision (2) or (3)
129 of this subsection has expired and no foreclosure mediation request
130 form has been submitted, or (B) the mediation period set forth in
131 subsection (b) of section 49-31n, as amended by this act, has expired or
132 has otherwise terminated, whichever is earlier.

133 (7) None of the mortgagor's or mortgagee's rights in the foreclosure
134 action shall be waived by the mortgagor's submission of a foreclosure
135 mediation request form to the court.

136 (c) (1) Prior to July 1, [2019] 2023, when a mortgagee commences an
137 action for the foreclosure of a mortgage on residential real property
138 with a return date on or after July 1, 2009, or, with respect to real
139 property owned by a religious organization, a return date on or after
140 October 1, 2011, the mortgagee shall give notice to the mortgagor of
141 the [foreclosure mediation program] Ezequiel Santiago Foreclosure

142 Mediation Program established [in] pursuant to section 49-31m, as
143 amended by this act, by attaching to the front of the writ, summons
144 and complaint that is served on the mortgagor: (A) A copy of the
145 notice of foreclosure mediation, in such form as the Chief Court
146 Administrator prescribes, (B) a copy of the foreclosure mediation
147 certificate form described in subdivision (3) of this subsection, in such
148 form as the Chief Court Administrator prescribes, (C) a blank
149 appearance form, in such form as the Chief Court Administrator
150 prescribes, (D) with respect to an action for the foreclosure of a
151 mortgage on residential real property with a return date on or after
152 October 1, 2011, to September 30, 2013, inclusive, a mediation
153 information form and a notice containing contact information for
154 authority-approved consumer credit counseling agencies, which form
155 and notice shall be in such form as the Chief Court Administrator
156 prescribes, and which form shall be designed to elicit current financial
157 information and such other nonfinancial information from the
158 mortgagor as the Chief Court Administrator, in consultation with
159 representatives from the banking industry and consumer advocates,
160 determines will further the objectives of the mediation program. The
161 Chief Court Administrator shall develop a premediation review
162 protocol pursuant to which the mediator shall request that any
163 documents submitted to the mediator for initial review that are
164 incomplete, contain errors or are likely to be found unacceptable by the
165 mortgagee be completed or corrected and that the completed or
166 corrected documents be resubmitted to the mediator for review. Such
167 premediation review, including any recommendations to complete or
168 correct documents, shall not be construed to be the practice of law on
169 behalf of any party to the mediation or the provision of legal advice by
170 the mediator. The instructions to the mediation information form shall
171 explain that the completed mediation information form, along with
172 accompanying documentation reasonably requested from the
173 mortgagor by way of such instructions, shall be delivered to the
174 mortgagee's counsel not later than fifteen business days prior to the
175 date of the initial mediation session, as identified in the notice
176 provided pursuant to subdivision (2) of subsection (c) of section 49-

177 31n, as amended by this act, and (E) for an action to foreclose a
178 mortgage on residential real property with a return date on or after
179 October 1, 2013, the mediation information form shall instruct the
180 mortgagor as to the objectives of the mediation program, explain the
181 preliminary process of meeting with the mediator as described in
182 subdivision (4) of this subsection, instruct the mortgagor to begin
183 gathering financial documentation commonly used in foreclosure
184 mediation for use in meeting with the mediator and in mediation, and
185 include a notice containing contact information for authority-approved
186 consumer counseling agencies, which shall be in such form as the
187 Chief Court Administrator prescribes. The content of the mediation
188 information form shall be designed by the Chief Court Administrator
189 in consultation with representatives from the banking industry and
190 consumer advocates.

191 (2) The court shall issue a notice of foreclosure mediation described
192 in subdivision (3) of this subsection to the mortgagor not later than the
193 date three business days after the date the mortgagee returns the writ
194 to the court.

195 (3) The notice of foreclosure mediation shall instruct the mortgagor
196 to file the appearance and foreclosure mediation certificate forms with
197 the court not later than the date fifteen days from the return date for
198 the foreclosure action. With respect to actions with a return date
199 during the period from October 1, 2011, to September 30, 2013,
200 inclusive, such notice shall remind the mortgagor to deliver the
201 completed mediation information form and the accompanying
202 documentation described in subdivision (1) of this subsection and
203 encourage such delivery in advance of the required date. With respect
204 to actions with a return date during the period from October 1, 2013, to
205 June 30, [2019] 2023, inclusive, such notice shall instruct the mortgagor
206 to begin gathering financial information commonly used in foreclosure
207 mediation for use in meeting with the mediator and in mediation. The
208 mediation information form and accompanying documentation shall
209 not, without the explicit written instruction of the mortgagor, be
210 publicly available. Such notice of foreclosure mediation shall be

211 accompanied by materials from the Department of Banking, as
212 prescribed by the Chief Court Administrator, which shall describe the
213 community-based resources available to the mortgagor, including
214 authority-approved housing counseling agencies that may assist with
215 preparation for mediation and application for mortgage assistance
216 programs. The foreclosure mediation certificate form shall require the
217 mortgagor to provide sufficient information to permit the court to
218 confirm that the defendant in the foreclosure action is a mortgagor,
219 and to certify that said mortgagor has sent a copy of the mediation
220 certificate form to the plaintiff in the action. With respect to actions
221 with a return date on or after October 1, 2015, in order to ensure that
222 all necessary consents to the disclosure of nonpublic personal financial
223 information have been provided to the mortgagee, such that a spouse
224 may be considered a permitted successor-in-interest, the court shall
225 confirm that the foreclosure mediation certificate submitted by (A) the
226 spouse or former spouse provides consent to the full disclosure by the
227 mortgagee of such spouse's or former spouse's nonpublic personal
228 financial information to any other person who is obligated as a
229 borrower on the note, to the extent the mortgagee has such
230 information, and (B) any other person who is a mortgagor provides
231 consent to the full disclosure by the mortgagee of such person's
232 nonpublic personal financial information to such spouse or former
233 spouse, to the extent the mortgagee has such information. If a
234 foreclosure mediation certificate is not submitted by a mortgagor,
235 other than a spouse or former spouse claiming to be a permitted
236 successor-in-interest, the court shall confirm, in lieu of the
237 requirements of subparagraph (B) of this subdivision, that the
238 foreclosure mediation certificate submitted by the spouse or former
239 spouse contains a statement, signed by the spouse or former spouse,
240 certifying that all persons who are obligated on the note have
241 otherwise given documentation to the mortgagee which allows for the
242 full disclosure by the mortgagee of such person's nonpublic personal
243 information to the spouse or former spouse, to the extent the
244 mortgagee has such information. Such a certification may be rebutted
245 conclusively by the mortgagee if the mortgagee submits a written

246 statement to the court in which the mortgagee certifies that, based
247 upon reasonable belief, the mortgagee does not possess such
248 documentation.

249 (4) Upon receipt of the mortgagor's appearance and foreclosure
250 mediation certificate forms, and provided the court confirms the
251 defendant in the foreclosure action is a mortgagor and that said
252 mortgagor has sent a copy of the mediation certificate form to the
253 plaintiff, the court shall assign the case to mediation and issue notice of
254 such assignment to all appearing parties, which notice shall include an
255 electronic mail address for all communications related to the
256 mediation. The court shall issue such notice not earlier than the date
257 five business days after the return date or by the date three business
258 days after the date on which the court receives the mortgagor's
259 appearance and foreclosure mediation certificate forms, whichever is
260 later, except that if the court does not receive the appearance and
261 foreclosure mediation certificate forms from the mortgagor by the date
262 fifteen days after the return date for the foreclosure action, the court
263 shall not assign the case to mediation. Promptly upon receipt of the
264 notice of assignment, but not later than the thirty-fifth day following
265 the return date, the mortgagee or its counsel shall deliver to the
266 mediator, via the electronic mail address provided for communications
267 related to the mediation, and to the mortgagor, via first class, priority
268 or overnight mail, (A) an account history identifying all credits and
269 debits assessed to the loan account and any related escrow account in
270 the immediately preceding twelve-month period and an itemized
271 statement of the amount required to reinstate the mortgage loan with
272 accompanying information, written in plain language, to explain any
273 codes used in the history and statement which are not otherwise self-
274 explanatory, (B) the name, business mailing address, electronic mail
275 address, facsimile number and direct telephone number of an
276 individual able to respond with reasonable adequacy and promptness
277 to questions relative to the information submitted to the mediator
278 pursuant to this subdivision, and any subsequent updates to such
279 contact information, which shall be provided reasonably promptly to

280 the mediator via the electronic mail address provided for
281 communication related to the mediation, (C) current versions of all
282 reasonably necessary forms and a list of all documentation reasonably
283 necessary for the mortgagee to evaluate the mortgagor for common
284 alternatives to foreclosure that are available through the mortgagee, if
285 any, (D) a copy of the note and mortgage, including any agreements
286 modifying such documents, (E) summary information regarding the
287 status of any pending foreclosure avoidance efforts being undertaken
288 by the mortgagee, (F) a copy of any loss mitigation affidavit filed with
289 the court, and (G) at the mortgagee's option, (i) the history of
290 foreclosure avoidance efforts with respect to the mortgagor, (ii)
291 information regarding the condition of mortgaged property, and (iii)
292 such other information as the mortgagee may determine is relevant to
293 meeting the objectives of the mediation program. Following the
294 mediator's receipt of such information, the court shall assign a
295 mediator to the mediation and schedule a meeting with the mediator
296 and all mortgagors who are relevant and necessary to the mediation
297 and to any agreement being contemplated in connection with the
298 mediation and shall endeavor to hold such meeting on or prior to the
299 forty-ninth day following the return date. The notice of such meeting
300 shall instruct the mortgagor to complete the forms prior to the meeting
301 and to furnish such forms together with the documentation contained
302 in the list, as provided by the mortgagee following the filing of the
303 foreclosure mediation certificate, at the meeting. At such meeting, the
304 mediator shall review such forms and documentation with the
305 mortgagor, along with the information supplied by the mortgagee, in
306 order to discuss the options that may be available to the mortgagor,
307 including any community-based resources, and assist the mortgagor in
308 completing the forms and furnishing the documentation necessary for
309 the mortgagee to evaluate the mortgagor for alternatives to
310 foreclosure. The mediator may elect to schedule subsequent meetings
311 with the mortgagor and determine whether any mortgagor may be
312 excused from an in-person appearance at such subsequent meeting.
313 The mediator may excuse any mortgagor from attending such meeting
314 or any subsequent meetings, provided the mortgagor shows good

315 cause for nonattendance. Such good cause may include, but is not
316 limited to, the mortgagor no longer owning the home pursuant to a
317 judgment of marital dissolution and related transfer via deed, or no
318 longer residing in the home and not being a necessary party to any
319 agreement being contemplated in connection with the mediation. As
320 soon as practicable, but in no case later than the eighty-fourth day
321 following the return date, or the extended deadline if such an extended
322 deadline is established pursuant to this subdivision, the mediator shall
323 facilitate and confirm the submission by the mortgagor of the forms
324 and documentation to the mortgagee's counsel via electronic means
325 and, at the mortgagee's election, directly to the mortgagee per the
326 mortgagee's instruction, and determine, based on the participating
327 mortgagor's attendance at the meetings and the extent the mortgagor
328 completed the forms and furnished the documentation contemplated
329 in this subdivision, or failed to perform such tasks through no material
330 fault of the mortgagee, and file a report with the court indicating, (I)
331 whether mediation shall be scheduled with the mortgagee, (II) whether
332 the mortgagor attended scheduled meetings with the mediator, (III)
333 whether the mortgagor fully or substantially completed the forms and
334 furnished the documentation requested by the mortgagee, (IV) the
335 date on which the mortgagee supplied the forms and documentation,
336 and (V) any other information the mediator determines to be relevant
337 to the objectives of the mediation program. The mediator may file, and
338 the court may grant, a motion for extension of the premediation period
339 beyond the eighty-fourth day following the return date if good cause
340 can be shown for such an extension. Any such motion shall be filed,
341 with a copy simultaneously sent to the mortgagee and as soon as
342 practicable to the mortgagor, not later than the eighty-fourth day
343 following the return date. The mortgagee and mortgagor shall each
344 have five business days from the day the motion was filed to file an
345 objection or supplemental papers, and the court shall issue its ruling,
346 without a hearing, not later than ten business days from the date the
347 motion was filed. If the court determines that good cause exists for an
348 extension, the court shall therewith establish an extended deadline so
349 that the premediation period shall end as soon thereafter as may be

350 practicable, but not later than thirty-five days from the date of the
351 ruling, taking into account the complexity of the mortgagor's financial
352 circumstances, the mortgagee's documentation requirements, and the
353 timeliness of the mortgagee's and mortgagor's compliance with their
354 respective premediation obligations. If the court denies the mediator's
355 motion, the extended deadline for purposes of this subdivision shall be
356 three days after the court rules on the motion. No meeting or
357 communication between the mediator and mortgagor under this
358 subdivision shall be treated as an impermissible ex parte
359 communication. If the mediator determines that the mortgagee shall
360 participate in mediation, the court shall promptly issue notice to all
361 parties of such determination and schedule a mediation session
362 between the mortgagee and all mortgagors who are relevant and
363 necessary to the mediation and to any agreement being contemplated
364 in connection with the mediation, in accordance with subsection (c) of
365 section 49-31n, as amended by this act, to be held not later than five
366 weeks following the submission to the mortgagee of the forms and
367 documentation contemplated in this subdivision. The mediator may
368 excuse any mortgagor from attending the mediation session or
369 subsequent meetings, provided good cause is shown for
370 nonattendance. Such good cause may include, but is not limited to, the
371 mortgagor no longer owning the home pursuant to a judgment of
372 marital dissolution and related transfer via deed, no longer residing in
373 the home or not being a necessary party to any agreement being
374 contemplated in connection with the mediation. If the mediator
375 determines that no sessions between the mortgagee and mortgagor
376 shall be scheduled, the court shall promptly issue notice to all parties
377 regarding such determination and mediation shall be terminated. Any
378 mortgagor wishing to contest such determination shall petition the
379 court and show good cause for reinclusion in the mediation program,
380 including, but not limited to, a material change in financial
381 circumstances or a mistake or misunderstanding of the facts by the
382 mediator.

383 (5) Notwithstanding the provisions of this subsection, the court may

384 refer a foreclosure action brought by a mortgagee to the [foreclosure
385 mediation program] Ezequiel Santiago Foreclosure Mediation Program
386 established pursuant to section 49-31m, as amended by this act, at any
387 time, for good cause shown, provided the mortgagor has filed an
388 appearance in said action and further provided the court shall, not
389 later than the date three business days after the date on which it makes
390 such referral, send a notice to each appearing party assigning the case
391 to mediation and requiring the parties to participate in the
392 premediation process described in subdivision (4) of this subsection,
393 with the court establishing deadlines to ensure that the premediation
394 process is to be completed by the parties as expeditiously as the
395 circumstances warrant and permit. When determining whether good
396 cause exists, the court shall consider whether the parties are likely to
397 benefit from mediation and, in the case of a referral after prior
398 attempts at mediation have been terminated, whether there has been a
399 material change in circumstances.

400 (6) Notwithstanding any provision of the general statutes or any
401 rule of law, prior to July 1, [2019] 2023, (A) for the period of time which
402 shall not exceed eight months from the return date, the mortgagor
403 shall be permitted to file an answer, special defenses or counterclaims,
404 but no mortgagee or mortgagor shall make any motion, request or
405 demand with respect to the other, except those motions, requests or
406 demands that relate to the mediation program described in section 49-
407 31m, as amended by this act, and the mediation sessions held pursuant
408 to such program, provided (i) a mortgagor seeking to contest the
409 court's jurisdiction may file a motion to dismiss and the mortgagee
410 may object to such motion to dismiss in accordance with applicable
411 law and the rules of the courts, and (ii) if the mortgagor elects to make
412 any other motion, request or demand with respect to the mortgagee,
413 the eight-month limit shall no longer apply to either party; and (B) no
414 judgment of strict foreclosure nor any judgment ordering a foreclosure
415 sale shall be entered in any action subject to the provisions of this
416 subsection and instituted by the mortgagee to foreclose a mortgage on
417 residential real property or real property owned by a religious

418 organization unless: (i) The mediation period set forth in subsection (c)
419 of section 49-31n, as amended by this act, has expired or has otherwise
420 terminated, whichever is earlier, and, if fewer than eight months has
421 elapsed from the return date at the time of termination, fifteen days
422 have elapsed since such termination and any pending motion or
423 request to extend the mediation period has been heard and denied by
424 the court, or (ii) the mediation program is not otherwise required or
425 available. Nothing in this subdivision shall affect any motion made or
426 any default or judgment entered on or before June 30, 2011.

427 (7) With respect to foreclosure actions with a return date during the
428 period from July 1, 2011, to June 30, [2019] 2023, inclusive,
429 notwithstanding any provision of the general statutes or any rule of
430 law to the contrary, the mortgagee shall be permitted following the
431 eight-month or fifteen-day period described in subdivision (6) of this
432 subsection, to simultaneously file, as applicable, (A) a motion for
433 default, and (B) a motion for judgment of strict foreclosure or a motion
434 for judgment of foreclosure by sale with respect to the mortgagor in
435 the foreclosure action.

436 (8) None of the mortgagor's or mortgagee's rights in the foreclosure
437 action shall be waived by participation in the [foreclosure mediation
438 program] Ezequiel Santiago Foreclosure Mediation Program.

439 Sec. 5. Section 49-31m of the general statutes is repealed and the
440 following is substituted in lieu thereof (*Effective from passage*):

441 The Chief Court Administrator shall establish in each judicial
442 district a foreclosure mediation program in actions to foreclose
443 mortgages on residential real property or real property owned by a
444 religious organization. On and after the effective date of this section,
445 said program shall be known as the "Ezequiel Santiago Foreclosure
446 Mediation Program". Such foreclosure mediation shall (1) address all
447 issues of foreclosure, including, but not limited to, reinstatement of the
448 mortgage, disposition of the property through means other than the
449 foreclosure process, including short sales and deeds in lieu of

450 foreclosure, assignment of law days, assignment of sale date,
451 restructuring of the mortgage debt and foreclosure by decree of sale,
452 and (2) be conducted by foreclosure mediators who (A) have a duty to
453 be unbiased and are employed by the Judicial Branch, (B) are trained
454 in mediation and all relevant aspects of the law, as determined by the
455 Chief Court Administrator, (C) have knowledge of the community-
456 based resources that are available in the judicial district in which they
457 serve, and (D) have knowledge of the mortgage assistance programs.
458 Such mediators may refer mortgagors who participate in the
459 [foreclosure mediation program] Ezequiel Santiago Foreclosure
460 Mediation Program to community-based resources when appropriate
461 and to the mortgage assistance programs. Such mediators shall not
462 give legal advice to any party in mediation.

463 Sec. 6. Section 49-31n of the general statutes is repealed and the
464 following is substituted in lieu thereof (*Effective from passage*):

465 (a) Prior to July 1, [2019] 2023: (1) Any action for the foreclosure of a
466 mortgage on residential real property with a return date during the
467 period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to
468 the provisions of subsection (b) of this section, and (2) any action for
469 the foreclosure of a mortgage on (A) residential real property with a
470 return date during the period from July 1, 2009, to June 30, [2019] 2023,
471 inclusive, or (B) real property owned by a religious organization with a
472 return date during the period from October 1, 2011, to June 30, [2019]
473 2023, inclusive, shall be subject to the provisions of subsection (c) of
474 this section.

475 (b) (1) For any action for the foreclosure of a mortgage on residential
476 real property with a return date during the period from July 1, 2008, to
477 June 30, 2009, inclusive, the mediation period under the [foreclosure
478 mediation program] Ezequiel Santiago Foreclosure Mediation Program
479 established [in] pursuant to section 49-31m, as amended by this act,
480 shall commence when the court sends notice to each appearing party
481 that a foreclosure mediation request form has been submitted by a
482 mortgagor to the court, which notice shall be sent not later than three

483 business days after the court receives a completed foreclosure
484 mediation request form. The mediation period shall conclude not later
485 than the conclusion of the third mediation session between the
486 mortgagor and mortgagee or seven months after the return date,
487 whichever is earlier, except that the court may, in its discretion, for
488 good cause shown, upon the motion of any party or the mediator,
489 extend the mediation period subject to the provisions of subdivision
490 (9) of this subsection or shorten the mediation period.

491 (2) The first mediation session shall be held not later than fifteen
492 business days after the court sends notice to all parties that a
493 foreclosure mediation request form has been submitted to the court.
494 The mortgagor and mortgagee shall appear in person at each
495 mediation session and shall have the ability to mediate, except that (A)
496 if a party is represented by counsel, the party's counsel may appear in
497 lieu of the party to represent the party's interests at the mediation,
498 provided the party has the ability to mediate, and the party is available
499 (i) during the mediation session by telephone, and (ii) to participate in
500 the mediation session by speakerphone, provided an opportunity is
501 afforded for confidential discussions between the party and party's
502 counsel, (B) following the initial mediation session, if there are two or
503 more mortgagors who are self-represented, only one mortgagor shall
504 be required to appear in person at each subsequent mediation session
505 unless good cause is shown, provided the other mortgagors are
506 available (i) during the mediation session, and (ii) to participate in the
507 mediation session by speakerphone, (C) if a party suffers from a
508 disability or other significant hardship that imposes an undue burden
509 on such party to appear in person, the mediator may grant permission
510 to such party to participate in the mediation session by telephone, and
511 (D) a mortgagor may be excused from appearing at the mediation
512 session if good cause is shown that the presence of such mortgagor is
513 not needed to further the interests of mediation. Such good cause may
514 include, but is not limited to, the mortgagor no longer owning the
515 home pursuant to a judgment of marital dissolution and related
516 transfer via deed, no longer residing in the home or not being a

517 necessary party to any agreement being contemplated in connection
518 with the mediation. A mortgagor's spouse, who is not a mortgagor but
519 who lives in the subject property, may appear at each mediation
520 session, provided all appearing mortgagors consent, in writing, to such
521 spouse's appearance or such spouse shows good cause for his or her
522 appearance and the mortgagors consent in writing to the disclosure of
523 nonpublic personal information to such spouse. If the mortgagor has
524 submitted a complete package of financial documentation in
525 connection with a request for a particular foreclosure alternative, the
526 mortgagee shall have thirty-five days from the receipt of the completed
527 package to respond with a decision and, if the decision is a denial of
528 the request, provide the reasons for such denial. If the mortgagor has,
529 in connection with a request for a foreclosure alternative, submitted a
530 financial package that is not complete, or if the mortgagee's evaluation
531 of a complete package reveals that additional information is necessary
532 to underwrite the request, the mortgagee shall request the missing or
533 additional information within a reasonable period of time of such
534 evaluation. If the mortgagee's evaluation of a complete package reveals
535 that additional information is necessary to underwrite the request, the
536 thirty-five-day deadline for a response shall be extended but only for
537 so long as is reasonable given the timing of the mortgagor's submission
538 of such additional information and the nature and context of the
539 required underwriting. Not later than the third business day after each
540 mediation session held on or after June 18, 2013, the mediator shall file
541 with the court a report indicating, to the extent applicable, (i) the
542 extent to which each of the parties complied with the requirements set
543 forth in this subdivision, including the requirement to engage in
544 conduct that is consistent with the objectives of the mediation program
545 and to possess the ability to mediate, (ii) whether the mortgagor
546 submitted a complete package of financial documentation to the
547 mortgagee, (iii) a general description of the foreclosure alternative
548 being requested by the mortgagor, (iv) whether the mortgagor has
549 previously been evaluated for similar requests, whether prior to
550 mediation or in mediation, and, if so, whether there has been any
551 apparent change in circumstances since a decision was made with

552 respect to that prior evaluation, (v) whether the mortgagee has
553 responded to the mortgagor's request for a foreclosure alternative and,
554 if so, a description of the response and whether the mediator is aware
555 of any material reason not to agree with the response, (vi) whether the
556 mortgagor has responded to an offer made by the mortgagee on a
557 reasonably timely basis, and if so, an explanation of the response, (vii)
558 whether the mortgagee has requested additional information from the
559 mortgagor and, if so, the stated reasons for the request and the date by
560 which such additional information shall be submitted so that
561 information previously submitted by the mortgagor, to the extent
562 possible, may still be used by the mortgagee in conducting its review,
563 (viii) whether the mortgagor has supplied, on a reasonably timely
564 basis, any additional information that was reasonably requested by the
565 mortgagee, and, if not, the stated reason for not doing so, (ix) if
566 information provided by the mortgagor is no longer current for
567 purposes of evaluating a foreclosure alternative, a description of the
568 out-of-date information and an explanation as to how and why such
569 information is no longer current, (x) whether the mortgagee has
570 provided a reasonable explanation of the basis for a decision to deny a
571 request for a loss mitigation option or foreclosure alternative and
572 whether the mediator is aware of any material reason not to agree with
573 that decision, (xi) whether the mortgagee has complied with the time
574 frames set forth in this subdivision for responding to requests for
575 decisions, (xii) if a subsequent mediation session is expected to occur, a
576 general description of the expectations for such subsequent session
577 and for the parties prior to such subsequent session and, if not
578 otherwise addressed in the report, whether the parties satisfied the
579 expectations set forth in previous reports, and (xiii) a determination of
580 whether the parties will benefit from further mediation. The mediator
581 shall deliver a copy of such report to each party to the mediation when
582 the mediator files the report. The parties shall have the opportunity to
583 submit their own supplemental information following the filing of the
584 report, provided such supplemental information shall be submitted
585 not later than five business days following the receipt of the mediator's
586 report. Any request by the mortgagee to the mortgagor for additional

587 or updated financial documentation shall be made in writing. The
588 court may impose sanctions on any party or on counsel to a party if
589 such party or such counsel engages in intentional or a pattern or
590 practice of conduct during the mediation process that is contrary to the
591 objectives of the mediation program. Any sanction that is imposed
592 shall be proportional to the conduct and consistent with the objectives
593 of the mediation program. Available sanctions shall include, but not be
594 limited to, terminating mediation, ordering the mortgagor or
595 mortgagee to mediate in person, forbidding the mortgagee from
596 charging the mortgagor for the mortgagee's attorney's fees, awarding
597 attorney's fees, and imposing fines. In the case of egregious
598 misconduct, the sanctions shall be heightened. The court shall not
599 award attorney's fees to any mortgagee for time spent in any
600 mediation session if the court finds that such mortgagee has failed to
601 comply with this subdivision, unless the court finds reasonable cause
602 for such failure.

603 (3) If the mediator reports to the court that the parties will not
604 benefit from further mediation, the mediation period shall terminate
605 automatically. If the mediator reports to the court after the first or
606 second mediation session that the parties may benefit from further
607 mediation, the mediation period shall continue.

608 (4) If the mediation period concludes and certain issues have not
609 been resolved pursuant to the mediation, the mediator may refer the
610 mortgagor to any appropriate community-based services that are
611 available.

612 (5) The Chief Court Administrator shall establish policies and
613 procedures to implement this subsection. Such policies and procedures
614 shall, at a minimum, provide that the mediator shall advise the
615 mortgagor at the first meeting required by subdivision (4) of
616 subsection (c) of section 49-311, as amended by this act, that a judgment
617 of strict foreclosure or foreclosure by sale may cause the mortgagor to
618 lose the residential real property to foreclosure.

619 (6) In no event shall any determination issued by a mediator under
620 this program form the basis of an appeal of any foreclosure judgment.

621 (7) Foreclosure mediation request forms shall not be accepted by the
622 court under this subsection on or after July 1, [2019] 2023, and the
623 [foreclosure mediation program] Ezequiel Santiago Foreclosure
624 Mediation Program shall terminate when all mediation has concluded
625 with respect to any applications submitted to the court prior to July 1,
626 [2019] 2023.

627 (8) At any time during the mediation period, the mediator may refer
628 a mortgagor who is the owner-occupant of one-to-four family
629 residential real property to the mortgage assistance programs, except
630 that any such referral shall not prevent a mortgagee from proceeding
631 to judgment when the conditions specified in subdivision (6) of
632 subsection (b) of section 49-31l, as amended by this act, have been
633 satisfied.

634 (9) (A) The mediation period shall conclude following the third
635 mediation session or if more than seven months have elapsed since the
636 return date. Not later than fifteen days following the conclusion of the
637 mediation period, and any extended mediation sessions held in
638 accordance with this subdivision, any party may move for, or the
639 mediator may request, an extension of the mediation period. The court
640 shall grant only one additional mediation session per motion or
641 request upon a finding that it is highly probable the parties will reach
642 an agreement through mediation. The court may also grant one
643 additional mediation session per motion or request upon a finding that
644 any party has engaged, either intentionally or by a pattern or practice,
645 in conduct that is contrary to the objectives of the mediation program.
646 The court shall make its ruling not later than twenty days after the
647 filing of such motion or request, and no judgment of strict foreclosure
648 or any judgment ordering a foreclosure sale shall be entered until (i)
649 the court denies the motion or request, or (ii) the conclusion of the
650 extended mediation session, except as provided in subparagraph (B) of
651 this subdivision. Upon the grant of an additional mediation session

652 following the proper finding, the court shall establish an expeditious
653 deadline for such extended mediation session to occur. Such extended
654 mediation period shall conclude following such extended mediation
655 session.

656 (B) The mediation period may be extended for one additional
657 mediation session without a hearing held pursuant to this subdivision
658 provided all parties to the mediation agree that such parties would
659 benefit from such a session and, in consultation with the mediator,
660 establish an expeditious deadline for such session to take place.

661 (C) To determine whether to extend mediation, the court may
662 consider all matters that have arisen in the mediation, including, but
663 not limited to, the number of motions to extend mediation, the reasons
664 for which an agreement has not been reached, the objectives of the
665 mediation program, the extent to which the parties will benefit from
666 further mediation, the reports submitted by the mediator, papers
667 submitted in connection with any motion, and any supplemental
668 reports submitted by a party. The court shall articulate its reasons in
669 the order granting or denying any such motion or request to extend
670 mediation.

671 (10) For any case pending as of October 1, 2013, in which mediation
672 is ongoing, (A) if three or fewer sessions have been held, such case
673 shall be treated as if no sessions have been held as of said date for
674 purposes of subdivision (9) of this subsection, and (B) if four or more
675 sessions have been held, then any party or the mediator may move to
676 terminate the mediation period or extend such period in accordance
677 with subdivision (9) of this subsection and, if no such motion to extend
678 is made, the mediation period shall conclude after the third mediation
679 session occurring after October 1, 2013.

680 (c) (1) For any action for the foreclosure of a mortgage on residential
681 real property with a return date during the period from July 1, 2009, to
682 June 30, [2019] 2023, inclusive, or for any action for the foreclosure of a
683 mortgage on real property owned by a religious organization with a

684 return date during the period from October 1, 2011, to June 30, [2019]
685 2023, inclusive, the mediation period under the [foreclosure mediation
686 program] Ezequiel Santiago Foreclosure Mediation Program
687 established [in] pursuant to section 49-31m, as amended by this act,
688 shall commence when the court sends notice to each appearing party
689 scheduling the first foreclosure mediation session. The mediation
690 period shall conclude not later than the conclusion of the third
691 mediation session between the mortgagor and mortgagee or seven
692 months after the return date, whichever is earlier, except that the court
693 may, in its discretion, for good cause shown, upon the motion of any
694 party or request by the mediator, extend the mediation period subject
695 to the provisions of subdivision (9) of this subsection or shorten the
696 mediation period.

697 (2) The mortgagor and mortgagee shall appear in person at each
698 mediation session and shall have the ability to mediate, except that (A)
699 if a party is represented by counsel, the party's counsel may appear in
700 lieu of the party to represent the party's interests at the mediation,
701 provided the party has the ability to mediate and the party is available
702 (i) during the mediation session by telephone, and (ii) to participate in
703 the mediation session by speakerphone, provided an opportunity is
704 afforded for confidential discussions between the party and party's
705 counsel, (B) following the initial mediation session, if there are two or
706 more mortgagors who are self-represented, only one mortgagor shall
707 be required to appear in person at each subsequent mediation session
708 unless good cause is shown, provided the other mortgagors are
709 available (i) during the mediation session, and (ii) to participate in the
710 mediation session by speakerphone, (C) if a party suffers from a
711 disability or other significant hardship that imposes an undue burden
712 on such party to appear in person, the mediator may grant permission
713 to such party to participate in the mediation session by telephone, and
714 (D) a mortgagor may be excused from appearing at the mediation
715 session if cause is shown that the presence of such mortgagor is not
716 needed to further the interests of mediation. Such cause may include,
717 but is not limited to, the mortgagor no longer owning the home

718 pursuant to a judgment of marital dissolution and related transfer via
719 deed or no longer residing in the home or not being a necessary party
720 to any agreement being contemplated in connection with the
721 mediation. A mortgagor's spouse, who is not a mortgagor but who
722 lives in the subject property, may appear at each mediation session,
723 provided all appearing mortgagors consent, in writing, to such
724 spouse's appearance or such spouse shows good cause for his or her
725 appearance and the mortgagors consent, in writing, to the disclosure of
726 nonpublic personal information to such spouse. If the mortgagor has
727 submitted a complete package of financial documentation in
728 connection with a request for a particular foreclosure alternative, the
729 mortgagee shall have thirty-five days from the receipt of the completed
730 package to respond with a decision and, if the decision is a denial of
731 the request, provide the reasons for such denial. If the mortgagor has,
732 in connection with a request for a foreclosure alternative, submitted a
733 financial package that is not complete, or if the mortgagee's evaluation
734 of a complete package reveals that additional information is necessary
735 to underwrite the request, the mortgagee shall request the missing or
736 additional information within a reasonable period of time of such
737 evaluation. If the mortgagee's evaluation of a complete package reveals
738 that additional information is necessary to underwrite the request, the
739 thirty-five-day deadline for a response shall be extended but only for
740 so long as is reasonable given the timing of the mortgagor's submission
741 of such additional information and the nature and context of the
742 required underwriting. Not later than the third business day after each
743 mediation session, the mediator shall file with the court a report
744 indicating, to the extent applicable, (i) the extent to which each of the
745 parties complied with the requirements set forth in this subdivision,
746 including the requirement to engage in conduct that is consistent with
747 the objectives of the mediation program and to possess the ability to
748 mediate, (ii) whether the mortgagor submitted a complete package of
749 financial documentation to the mortgagee, (iii) a general description of
750 the foreclosure alternative being requested by the mortgagor, (iv)
751 whether the mortgagor has previously been evaluated for similar
752 requests, whether prior to mediation or in mediation, and, if so,

753 whether there has been any apparent change in circumstances since a
754 decision was made with respect to that prior evaluation, (v) whether
755 the mortgagee has responded to the mortgagor's request for a
756 foreclosure alternative and, if so, a description of the response and
757 whether the mediator is aware of any material reason not to agree with
758 the response, (vi) whether the mortgagor has responded to an offer
759 made by the mortgagee on a reasonably timely basis, and if so, an
760 explanation of the response, (vii) whether the mortgagee has requested
761 additional information from the mortgagor and, if so, the stated
762 reasons for the request and the date by which such additional
763 information shall be submitted so that information previously
764 submitted by the mortgagor, to the extent possible, may still be used
765 by the mortgagee in conducting its review, (viii) whether the
766 mortgagor has supplied, on a reasonably timely basis, any additional
767 information that was reasonably requested by the mortgagee, and, if
768 not, the stated reason for not doing so, (ix) if information provided by
769 the mortgagor is no longer current for purposes of evaluating a
770 foreclosure alternative, a description of the out-of-date information
771 and an explanation as to how and why such information is no longer
772 current, (x) whether the mortgagee has provided a reasonable
773 explanation of the basis for a decision to deny a request for a loss
774 mitigation option or foreclosure alternative and whether the mediator
775 is aware of any material reason not to agree with that decision, (xi)
776 whether the mortgagee has complied with the time frames set forth in
777 this subdivision for responding to requests for decisions, (xii) if a
778 subsequent mediation session is expected to occur, a general
779 description of the expectations for such subsequent session and for the
780 parties prior to such subsequent session and, if not otherwise
781 addressed in the report, whether the parties satisfied the expectations
782 set forth in previous reports, and (xiii) a determination of whether the
783 parties will benefit from further mediation. The mediator shall deliver
784 a copy of such report to each party to the mediation when the mediator
785 files the report. The parties shall have the opportunity to submit their
786 own supplemental information following the filing of the report,
787 provided such supplemental information shall be submitted not later

788 than five business days following the receipt of the mediator's report.
789 Any request by the mortgagee to the mortgagor for additional or
790 updated financial documentation shall be made in writing. The court
791 may impose sanctions on any party or on counsel to a party if such
792 party or such counsel engages in intentional or a pattern or practice of
793 conduct during the mediation process that is contrary to the objectives
794 of the mediation program. Any sanction that is imposed shall be
795 proportional to the conduct and consistent with the objectives of the
796 mediation program. Available sanctions shall include, but not be
797 limited to, terminating mediation, ordering the mortgagor or
798 mortgagee to mediate in person, forbidding the mortgagee from
799 charging the mortgagor for the mortgagee's attorney's fees, awarding
800 attorney's fees, and imposing fines. In the case of egregious
801 misconduct, the sanctions shall be heightened. The court shall not
802 award attorney's fees to any mortgagee for time spent in any
803 mediation session if the court finds that such mortgagee has failed to
804 comply with this subdivision, unless the court finds reasonable cause
805 for such failure.

806 (3) If the mediator reports to the court that the parties will not
807 benefit from further mediation, the mediation period shall terminate
808 automatically. If the mediator reports to the court after the first or
809 second mediation session that the parties may benefit from further
810 mediation, the mediation period shall continue.

811 (4) If the mediation period concludes and certain issues have not
812 been resolved pursuant to the mediation, the mediator may refer the
813 mortgagor to any appropriate community-based services that are
814 available in the judicial district, but any such referral shall not cause a
815 delay in the mediation process.

816 (5) The Chief Court Administrator shall establish policies and
817 procedures to implement this subsection. Such policies and procedures
818 shall, at a minimum, provide that the mediator shall advise the
819 mortgagor at the first meeting required by subdivision (4) of
820 subsection (c) of section 49-31/, as amended by this act, that: (A) Such

821 mediation does not suspend the mortgagor's obligation to respond to
822 the foreclosure action beyond the limited time frame described in
823 subdivision (6) of subsection (c) of section 49-311, as amended by this
824 act; and (B) a judgment of strict foreclosure or foreclosure by sale may
825 cause the mortgagor to lose the residential real property or real
826 property owned by a religious organization to foreclosure.

827 (6) In no event shall any determination issued by a mediator under
828 this program form the basis of an appeal of any foreclosure judgment.

829 (7) The foreclosure mediation program shall terminate when all
830 mediation has concluded with respect to any foreclosure action with a
831 return date during the period from July 1, 2009, to June 30, [2019] 2023,
832 inclusive.

833 (8) At any time during the mediation period, the mediator may refer
834 a mortgagor who is the owner-occupant of one-to-four family
835 residential real property to the mortgage assistance programs, except
836 that any such referral shall not prevent a mortgagee from proceeding
837 to judgment when the conditions specified in subdivision (6) of
838 subsection (c) of section 49-311, as amended by this act, have been
839 satisfied.

840 (9) (A) The mediation period shall conclude following the third
841 mediation session or if more than seven months have elapsed since the
842 return date. Not later than fifteen days following the conclusion of the
843 mediation period, and any subsequent extended mediation sessions
844 held in accordance with this subdivision, any party may move for, or
845 the mediator may request, an extension of the mediation period. The
846 court shall grant only one additional mediation session per motion or
847 request upon a finding that it is highly probable the parties will reach
848 an agreement through mediation. The court may also grant one
849 additional mediation session per motion or request upon a finding that
850 any party has engaged, either intentionally or by a pattern or practice,
851 in conduct that is contrary to the objectives of the mediation program.
852 The court shall make its ruling not later than twenty days after the

853 filing of such motion or request, and no judgment of strict foreclosure
854 or any judgment ordering a foreclosure sale shall be entered until (i)
855 the court denies the motion or request, or (ii) the conclusion of the
856 subsequent extended mediation session, except as provided in
857 subparagraph (B) of this subdivision. Upon the grant of an additional
858 mediation session following the proper finding, the court shall
859 establish a reasonably expeditious deadline for such subsequent
860 extended mediation session to occur. Such extended mediation period
861 shall conclude following such subsequent extended mediation session.

862 (B) The mediation period may be extended for one additional
863 mediation session without a hearing held pursuant to this subdivision
864 provided all parties to the mediation agree that such parties would
865 benefit from such a session and, in consultation with the mediator,
866 establish a reasonably expeditious deadline for such session to take
867 place.

868 (C) To determine whether to extend mediation, the court may
869 consider all matters that have arisen in the mediation, including, but
870 not limited to, the number of motions to extend mediation, the reasons
871 for which an agreement has not been reached, the objectives of the
872 mediation program, the extent to which the parties will benefit from
873 further mediation, the reports submitted by the mediator, papers
874 submitted in connection with any motion, and any supplemental
875 reports submitted by a party. The court shall articulate its reasons in
876 the order granting or denying any such motion or request to extend
877 mediation.

878 (10) For any case pending as of October 1, 2013, in which mediation
879 is ongoing, (A) if three or fewer sessions have been held, such case
880 shall be treated as if no sessions have been held as of said date for
881 purposes of subdivision (9) of this subsection, and (B) if four or more
882 sessions have been held, then any party or the mediator may move to
883 terminate the mediation period or extend such period in accordance
884 with subdivision (9) of this subsection and, if no such motion to extend
885 is made, the mediation period shall conclude after the third mediation

886 session occurring after October 1, 2013.

887 (d) (1) Not later than February 14, 2014, the Chief Court
888 Administrator shall submit, in accordance with the provisions of
889 section 11-4a, to the joint standing committee of the General Assembly
890 having cognizance of matters relating to banking, a summary
891 regarding the mediation program and a general summary of the data
892 collected in the reports submitted pursuant to subdivision (2) of
893 subsections (b) and (c) of this section from July 1, 2013, to December
894 31, 2013, inclusive. Such summaries shall include, but not be limited to,
895 the aggregate data regarding the number of cases in mediation, the
896 number of mediation sessions held, the number of agreements reached
897 before the conclusion of the mediation period, the number of motions
898 or requests for an extension or continuance and the identity of the
899 party that made such a motion or request, whether the loan at issue
900 was serviced by a third party, the judicial district in which the
901 mediation took place and whether the mortgagor was self-represented.

902 (2) Not later than March 1, [2016, and by March first each year
903 thereafter until] 2021, and March 1, [2019, inclusive] 2023, the Chief
904 Court Administrator shall submit, in accordance with the provisions of
905 section 11-4a, to the joint standing committee of the General Assembly
906 having cognizance of matters relating to banking, a summary of the
907 reports submitted from July 1, 2013, to December thirty-first of the
908 immediately preceding year, inclusive, pursuant to subdivision (2) of
909 subsections (b) and (c) of this section. The detailed data points for such
910 summary, including data to be collected but not reported, shall be
911 developed by the Chief Court Administrator in consultation with
912 representatives from the Governor's office, the Department of Banking,
913 the banking industry and consumer advocates.

914 Sec. 7. Section 49-31v of the general statutes is repealed and the
915 following is substituted in lieu thereof (*Effective from passage*):

916 The [foreclosure mediation program] Ezequiel Santiago Foreclosure
917 Mediation Program established pursuant to section 49-31m, as

918 amended by this act, shall be funded within available appropriations
919 and available until June 30, [2019] 2023. The size of such program shall
920 be determined by available funding and the number and need of
921 participants in such program."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	8-265cc(9)
Sec. 2	<i>from passage</i>	49-24f
Sec. 3	<i>from passage</i>	49-30v
Sec. 4	<i>from passage</i>	49-31l
Sec. 5	<i>from passage</i>	49-31m
Sec. 6	<i>from passage</i>	49-31n
Sec. 7	<i>from passage</i>	49-31v